

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA,)	
)	
v.)	No. 3:16-CR-20-CLC-HBG
)	
MARK HAZELWOOD, et al.)	

DEFENDANTS' UNOPPOSED MOTION TO EXTEND PLEA DEADLINE

Defendants, by and through counsel and pursuant to Federal Rule of Criminal Procedure 45(b), request that the Court extend to July 21, 2017, the deadline for plea agreements. The United States does not oppose this extension.

For good cause and in support of this motion, Defendants state that the Court entered a scheduling order in this case on March 10, 2016. (Doc. 69.) The scheduling order provides that, on January 9, 2017, the United States was to begin a rolling production and identification of (1) documents it intends to introduce in its case-in-chief, (2) "other acts" evidence potentially admissible under Federal Rule of Evidence 404(b), and (3) Jencks Act material and agency interview memoranda associated with case-in-chief witnesses for the United States. (Doc. 69 at 5-7.) The deadline for the United States to complete its rolling production is June 16, 2017. (Id.) Defendants' deadline to enter a plea is June 23, 2017.¹ (Id. at 5, 8.)

Since January 9, 2017, the United States has produced and identified, and Defendants have reviewed and discussed with their counsel, thousands of pages of potential trial exhibits. The United States has not completed its rolling production and, based on representations by the United States, Defendants anticipate receiving, among other materials, a significant number of

¹ On April 3, 2017, the Court granted the parties' joint motion to revise the scheduling order with respect to certain disclosure deadlines and hearing dates pertaining to expert witnesses. (Doc. 173.) The revised scheduling order does not affect the United States' rolling production deadline or the plea deadline.

agency interview memoranda relating to potential trial witnesses during the final days of the rolling production period. Typically, agency interview memoranda contain detailed, highly relevant information about potential witnesses for the United States and, thus, are critical to defense development. The current schedule affords Defendants and their counsel an insufficient amount of time, only one week between the end of the United States' rolling production and the plea deadline, to review and meaningfully consider the United States' voluminous forthcoming production. This case is not set for trial until October 24, 2017. (Doc. 69 at 4, 7.) Accordingly, extending the plea deadline by one month will not prejudice "the efficient administration of justice and the efficient use of the Court's limited resources." See United States v. Santos, 2003 WL 21088960 at *2 (E.D. Tenn. May 2, 2003). The United States has advised Defendants that it does not oppose the extension of the plea deadline sought by this motion.

For the foregoing reasons, Defendants respectfully request that the Court revise the scheduling order by extending the plea agreement deadline to July 21, 2017.

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CERTIFICATE OF SERVICE

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